

**United States Bankruptcy Court**  
**Southern District of Georgia**

In re **Emory Dean Wilcox**

Debtor(s)

Case No. **15-30115**Chapter **13**

**CHAPTER 13 PLAN AND MOTION**, amended  
 [General Order 2005-3 Approved Form]

1. Debtor(s) shall pay to the Trustee the sum of \$ **583.00** for the applicable commitment period of:

☐ 60 months: **or**

(If applicable include the following): These plan payments

☒ a minimum of 36 months. § 1325(b)(4).

change to \$ \_\_\_\_ in month \_\_\_\_.

2. From the payments so received, the Trustee shall make disbursements as follows:

(a) The Trustee percentage fee as set by the United States Trustee.

(b) Attorney fees allowed pursuant to § 507(a)(2) of \$ **3,000.00** to be paid in accordance with applicable General Orders of this Court.

(c) Other § 507 claims, unless provided for otherwise in the plan will be paid in full over the life of the plan as funds become available in the order specified by law.

(d) ☐ Monthly payments according to the contract on the following long-term debts. § 1322(b)(5). (Payments which become due after the filing of the petition but before the month of the first payment designated here will be added to the pre-petition arrearage claim):

CREDITORMONTH OF FIRST TRUSTEE  
PAYMENTINITIAL MONTHLY  
PAYMENT**-NONE-****IN THE ALTERNATIVE:**

☐ Debtor will make post-petition payments direct to creditor according to the contract on the following long-term debts:

CREDITORINITIAL MONTHLY PAYMENT**-NONE-**

(e) Fully Secured Allowed Claims and Executory Contracts as set forth below:

<u>CREDITOR</u>	<u>COLLATERAL</u>	<u>ESTIMATED</u> <u>CLAIM</u>	<u>INTEREST RATE</u>	<u>MONTHLY</u> <u>PAYMENT</u>
<b>Citifinancial</b>	<b>62 13th Street, Helena GA 31037</b>	<b>\$5,100.00</b>	<b>5.00%</b>	<b>\$101.00</b>
<b>NAVY FCU</b>	<b>2002 F-250</b>	<b>\$4,675.00</b>	<b>5.00%</b>	<b>\$93.00</b>
<b>Title Max</b>	<b>1998 Mercedes Value \$3000.00 Motorcycle value \$ 1500</b>	<b>\$3,000.00</b>	<b>5.00%</b>	<b>\$60.00</b>

(f) Undersecured Allowed Claims. Debtor moves to value the collateral partially securing the following claims pursuant to §506 and provide payment in satisfaction of those claims as set forth below:

<u>CREDITOR</u>	<u>COLLATERAL</u>	<u>VALUATION</u>	<u>INTEREST</u> <u>RATE</u>	<u>MONTHLY</u> <u>PAYMENT</u>
<b>CAPA/FRNRW</b>	<b>furniture</b>	<b>\$800.00</b>	<b>5.00%</b>	<b>\$16.00</b>

(g) Cure payments on allowed prepetition arrearage claims set forth below. § 1322(b)(5):

CREDITOR  
-NONE-

ESTIMATED PREPETITION CLAIM

(h) The following unsecured allowed claims are classified to be paid at 100% ☐ with interest at \_\_\_\_ %; ☒ without interest.

CREDITOR  
-NONE-

(i) Allowed general unsecured claims, including the unsecured portion of any bifurcated claims provided for in ¶2(f) or 6, will be paid a 0 % dividend or a prorata share of \$ 4833.00, whichever is greater.

3. Debtor will make § 1326(a)(1) pre-confirmation lease and adequate protection payments on allowed claims of the following creditors: ☐ Direct to the Creditor; or ☒ To the Trustee

CREDITOR

ADEQUATE PROTECTION OR LEASE  
PAYMENT AMOUNT

**CAPA/FRNRW**

**\$4.00**

**Citifinancial**

**\$15.00**

**NAVY FCU**

**\$35.00**

**Title Max**

**\$15.00**

4. Debtor will pay all post-petition domestic support obligations direct to the holder of such claim identified here. § 101(14A). Debtor requests Trustee to provide the statutory notice of § 1302(d) to these claimants.

CREDITOR

ADDRESS

Ann Wilcox  
727 TJ Sappington Drive  
Eastman GA 31023

**CHILD SUPPORT ENFORCEMENT**  
**5506 6th Ave.**  
**Eastman GA 31023**

Lisa Watts  
4574 SW 132nd PL  
Ocala FL 34473

5. Pursuant to 11 U.S.C. §522(f), debtor moves to avoid the liens of the following creditors, upon confirmation but subject to § 349, with respect to the property described below:

CREDITOR  
**Accloan**

PROPERTY  
**hhg**

6. The following collateral is surrendered to the creditor to satisfy the secured claim to the extent shown below:

CREDITOR  
-NONE-

DESCRIPTION OF  
COLLATERAL

AMOUNT OF CLAIM  
SATISFIED

7. Holders of allowed secured claims shall retain the liens securing said claims to the full extent provided by § 1325(a)(5).

8. Other provisions:

**Attorney fees and filing fees will be paid under the plan. Secured claim will be paid at a rate of 5% unless noted.**

9. The amount, and secured or unsecured status, of claims disclosed in this Plan are based upon debtor's best estimate and belief. An allowed proof of claim will supersede those estimated claims. Objections to claims may be filed before or after confirmation. Debtor will increase payments in the amount necessary to fund allowed claims as this Plan proposes, after notice from the Trustee and a hearing if necessary, unless a Plan Modification is approved.

Date **July 7, 2015**

Signature **/s/ Emory Dean Wilcox**  
**Emory Dean Wilcox**  
Debtor

*Revised 10/2005*

IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF GEORGIA  
DUBLIN DIVISION

In re: Emory Dean Wilcox,  
Debtor,

Huon Le,  
Trustee.

\*  
\*  
\*  
\*  
\*

**Chapter 13**  
**Case No.: 15-30115**

**Certificate of Service**

I, Franklin D. Hayes, attorney for Debtor, Emory Dean Wilcox do hereby certify that I have this day served a copy of the foregoing **Debtor Amendment to Chapter 13 Plan** upon:

**Huon Le**  
Chapter 13 Trustee  
P.O. Box 2127  
Augusta, Georgia 30903

by mailing a copy of same to her via First Class mail in properly addressed envelopes with postage sufficient to cover the cost of the same.

This 10 day of July, 2015.

/s/ Franklin D. Hayes  
FRANKLIN D. HAYES  
Attorney for Debtor

P.O. Box 2377  
Douglas, Georgia  
(912) 383-6132  
GA Bar No: 339910